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9. (Thrice Amended) A color filter array comprising a contiguous repeating unit array, the unit array having yellow, magenta, cyan, and infrared pass filters in relative numerical proportions 4:1:1:2, respectively.

Remarks

Claims 1-16 are presently active, claims 1 and 9 having been amended by this Amendment.

In the office action dated 25 July 2001 ("Office Action"), claim 1 was rejected under 35 U.S.C. §102(e) as being anticipated by Inoue et al., U.S. patent 5,926,238 ("Inoue"), and claim 9 was rejected under 35 U.S.C. §103(a) as being unpatentable over Inoue. Claims 2-8 and 10-16 were allowed over the prior art of record.

Applicants acknowledge with appreciation the allowance of claims 2-8 and 10-16.

Regarding the rejection of claim 1, it was pointed out in the Office Action, bottom of page 2, that a group of filters could be selectively chosen from the array taught in Inoue with the same colors and relative proportions as recited in claim 1. Applicants would like to respectfully point out that such a selection was not motivated by the prior references of record, but was chosen with hindsight based upon the present application. Nevertheless, Applicants point out that the array taught in Inoue is not obtained by contiguously repeating this selected group of filters.

To better define and more particularly point out the invention, claims 1 and 9 are amended to recite that their unit arrays are contiguously repeated. This finds support in the specification, page 4, lines 15-17, where it is taught that for an embodiment, a "tiling pattern is provided by repeating the unit array of Fig. 2 in both the row and column directions."

Consequently, it is believed that claims 1 and 9 as amended are patentable over the prior references of record, and are in condition for allowance.

Respectfully submitted,

Seth Z. Kalson   Dated: *Dec 7, 2001*

Seth Z. Kalson
Reg. no. 40,670
Attorney for Applicants and Intel Corporation (Assignee)

Version of Amended Claims with Changes

1. (Thrice Amended) A color filter array comprising a <u>contiguous repeating</u> unit array, the unit array having green, red, blue, and infrared pass filters in relative numerical proportions 4:1:1:2, respectively.

9. (Thrice Amended) A color filter array comprising a <u>contiguous repeating</u> unit array, the unit array having yellow, magenta, cyan, and infrared pass filters in relative numerical proportions 4:1:1:2, respectively.